

CITY OF NEWTON

IN CITY COUNCIL

July 11, 2022

TO BE ISSUED July 11, 2022 to July 10, 2025

The City Council, pursuant to the provisions of Section 19-361 et. Seq. of the Revised Ordinances, as amended, hereby grants the renewal of a license to

BOSTON COACH CORPORATION

1 Airforce Road
Everett, MA 02149

to operate motor vehicles for the carriage of passengers for hire over the following described ways in the City of Newton as further specified herein.

Designated Route:

Boston College Chestnut Hill Campus to Boston College Law School (the "Law School Route").

Specific Conditions for Each Route:

1. Boston College Law School Routes (A & B below). Note that for the Law School Route only, the routes and vehicles used change according to the day and time as stated below.

Description of Routes: (From BC Chestnut Hill Campus)

A. Direct Newton Route:

Proceed west on Commonwealth Avenue to Centre Street, turn right onto Centre Street heading north to Law School campus. Turn left into main entrance and proceed to Stuart Hall parking lot. Proceed from Stuart Hall parking lot to main entrance. Turn right onto Centre Street and proceed south to Commonwealth Avenue. Turn left onto Commonwealth Avenue heading east to the Commonwealth Avenue Main Gate curb cut at Chestnut Hill Campus. Turn right into Lower Campus by St. Ignatius Church and proceed to Robstrom Bus Stop. Return to Stuart Hall via Commonwealth Avenue.

Early Morning Service:

Type of Vehicle(s): Gillig,

Seating Capacity: 34 Seats plus 32 standees (66 total)

Propulsion system: Diesel

Days and hours of Operation: **(Fall and Spring Semesters, August 19, 2022 through May 31, 2025)**

Monday – Friday: 7:00 a.m. – 2:00 a.m.

1. Limitation on Total Number of Vehicles and Frequency of Service: the number of vehicles in service and round trips per hour shall not exceed the limits stated below.

Monday – Friday: 7:00 a.m. – 10:00 a.m.; 8 vehicles; 16 round trips

B. Newton Loop Route

Proceed west on Commonwealth Avenue to Centre Street. Turn right onto Centre Street heading north to Law School campus. Turn left into main entrance and proceed to Stuart Hall parking lot. Proceed from Stuart Hall parking lot to main entrance. Turn right onto Centre Street and proceed south to Commonwealth Avenue. Turn left onto Commonwealth Avenue heading east to the Commonwealth Avenue Main Gate curb cut at Chestnut Hill Campus. Eastbound Route terminates at Newton City line. Route reenters Newton at the Boston/Newton line on Beacon Street Heading west. Turn right onto College Road. Turn left onto Commonwealth Avenue heading west to Centre Street.

1. Type of Vehicle(s): Gillig

Seating Capacity: 34 seats plus 32 standees (66 total)

Propulsion system: Diesel

2. Days and Hours of Operation: **(Fall and Spring Semesters, August 19, 2022 through May 31, 2025)**

Monday – Friday: 7:00 a.m. – 2:00 a.m.

Saturday/Sunday/Holidays: 8:00 a.m. – 2:00 a.m.

Summer Schedule **(June 1, 2022– September 4, 2022)**: 8:00 a.m. – 2:00 a.m.

3. Limitation on Total Number of Vehicles and Frequency of Service:

- a. The number of vehicles in service and round trips per hour shall not exceed the limits stated below.

- i. Daily Service:

Monday – Friday: 7:00 a.m. – 10:00 a.m.; No more than 8 vehicles; no more than 16 round trips

- ii. 10:00 a.m. – 3:00 p.m.; No more than 4 vehicles; no more than 8 round trips

- iii. 3:00 p.m. – 8:00 p.m.; No more than 5 vehicles; no more than 10 round trips

- iv. Evening and Weekend Service

Monday – Friday:

- 8:00 p.m. – 2:00 a.m.; No more than 4 vehicles; no more than 8 round trips
- v. Saturdays/Sundays/Holidays:
 - 8:00 a.m. – 2:00 a.m.; No more than 4 vehicles; no more than 8 round trips
- vi. Summer Schedule (July 1, 2022 – August 18, 2025) 7:00 a.m.–5:00 p.m.

C. Stops and Other Conditions Applicable to Law School Routes:

1. Stops recommended as follows, subject to approval of Police Chief:

a. Within Law School Campus:

Stuart Hall Parking Lot
Main Gate
Hardly/Cushing
Duchesne Hall
Keyes South

b. On public ways:

McElroy @Beacon Street (Newton Loop Only)
Donaldson @College Road (Newton Loop Only)
Commonwealth Avenue @Main Gate curb cut

c. Points of campus entry and exit:

Chestnut Hill: St. Ignatius Gate & Edmonds Gate
Law School: Main entrance and Colby Road

D. Newton Center Shuttle Route

Start at Conte Forum; Right onto Chestnut Hill Drive; Right onto Beacon Street; Right onto College Road; Left onto Commonwealth Avenue; Left onto Centre Street, Left onto Lyman Street; Stop at Citizens Bank; Left onto Willow Street; Right onto Centre Street; Right onto Commonwealth Avenue; Right onto Fr. Herlihy Drive; Right into Boston College Campus. Return to Conte Forum Bus Stop.

1. Type of Vehicle: Gillig

Seating capacity: 34 seats plus 32 standees (66 total)

Propulsion System: Diesel

2. Days and hours of operation (Fall and Spring semesters, **August 19, 2022 through May 31, 2025**) Sundays only, 12 p.m. to 6:00 p.m. and Monday through Friday, 7:00 p.m. to 9:00 p.m.

3. The number of vehicles in service and round trips per hour shall not exceed the limits stated below.

- a. 1 vehicle; up to 2 round trips per hour.
4. Stops and Other Conditions Applicable to Newton Center Route:
 - a. Stops recommended as follows, subject to approval of Police Chief:
 - Conte Forum
 - McElroy
 - College Road
 - Citizen's Bank, Lyman Street
 - Boston College Main Gate
 - Robsham
 - Conte Forum
 - b. Points of campus entry and exit
 - Chestnut Hill: St Ignatius Gate @Edmonds Gate
 - Commonwealth Avenue Main Gate
5. Other Operating Conditions:
 - a. Idling time when stopped on public ways shall not exceed 3 minutes, exclusive of time needed to pick up and discharge passengers.
 - b. The License term for this route shall commence on July 11, 2022 and shall terminate on July 10, 2025, unless renewed by the City Council, subject to the right of the City Council to make changes during the license term as conditions may require.

E. BC Student Shuttle Service to The Street, Chestnut Hill Mall and Chestnut Hill Square

Route and Stops:

1. Alumni Stadium-Leave Boston College from Conte Forum (Campanella Way side); turn Right onto St. Thomas More Road (becomes Chestnut Hill Driveway); turn Right onto Beacon Street; turn Left onto Hammond Pond Parkway; turn Right into the rear entrance of the Chestnut Hill Mall.
2. Chestnut Hill Mall – Stop at the MBTA stop located at the west end of the parking garage; exit Chestnut Hill Mall crossing Rt. 9; turn Right into Chestnut Hill Square.
3. Chestnut Hill Square - Exit parking lot, taking a right on Rt. 9; exit towards Hammond Parkway; turn left on Hammond Pond Parkway; turn Right into the parking lot heading toward the movie theater.
4. The Street-Stop in the rear of the garage by the movie theatre; proceed straight going toward Star Market; stop at MBTA Bus Shelter; exit the parking lot; turn Right onto Hammond Pond Parkway; turn Right on to Beacon Street; turn Left onto College Road; stop at the existing College

Road bus stop; turn Right onto Commonwealth Avenue; stop at Boston College Main Gate.

5. Boston College Main Gate – Continue on Commonwealth Avenue; turn Left onto Fr. Herilhy Drive; turn Right onto campus at St. Ignatius Gate; continue Campanella Way stop at Robsham Theatre.
6. Boston College Robsham Theatre-Continue on Campanella Way; Stop at Alumni Stadium
 - a. Alumni Stadium

Hours of operation and Schedule

September –December: January-May

Thursday-2 pm to 10 pm 8 trips, last pick up at 9:30pm

Friday-2 pm to 10 pm 8 trips last pick up at 9:30pm

Saturday-10 am to 5 pm 7 trips last pick up at 4:30 pm

Sunday-10 am to 5 pm 7 trips last pick up at 4:30pm

F. General Conditions Applicable to All Routes:

1. The Licensee shall not operate buses or other vehicles on any routes or public ways in Newton other than those designated herein.
2. No changes shall be made in any of the conditions of this license, and, in particular, in the routes, termini, running schedules, stops or vehicles without the prior written consent of the City Council of the City of Newton. Licensee shall forward all requests for changes to the Clerk of the City Council in writing. The City Council shall approve or deny all such requests, except as otherwise provided herein. In the event of a maintenance issue with a bus, a Boston Coach Nova RTS will be used as a substitute until the bus is repaired. These temporary buses seat 33 and stand 15.
3. This license is valid only for the Licensee stated herein and shall not be transferred or otherwise assigned without the prior written approval of the City Council. In addition, this license shall remain in effect solely for the period that the Licensee continues to operate under contract with Boston College, and shall automatically terminate upon expiration or termination of contract.
4. All diesel powered vehicles operated by Licensee pursuant to this license shall meet the inspection standards of the Registry of Motor Vehicles.
5. Adjustments to Service during the License Term: this license is valid for the purpose of inter-campus transportation for Boston College students, employees, and faculty over the routes designated herein. Other than adjustments to regular service as provided in paragraph A, and transportation for special events and athletic or entertainment events as hereinafter provided in paragraph B and C, respectively, of this provision, the Licensee shall not operate vehicles over these routes for any other purpose without first obtaining

permission from the City Council. Except as otherwise provided below, all changes to the regular service shall require the approval of the City Council, including but not limited to, an increase in the number of vehicles to be used or an increase in the number of round trips per hour of vehicles over and above the numbers previously set forth in this license; a change in an approved route other than a temporary change approved as part of transportation to and from a special event as hereinafter provided in paragraph B; and the use of a new route, other than the temporary use of a new route pursuant to a special event as hereinafter provided in paragraph B.

a. Regular Service:

- i. Subsequent to the annual approval of the license, the Licensee shall be authorized to make adjustments to the regular bus service, Monday through Friday, from 7:00 p.m. to 10:00 p.m., provided that any increases in the number of bus round trips shall not exceed the "baseline" as specified in paragraph 2 of this provision and provided that the maximum number of bus round trips per hour shall not exceed 15 round trips per hour. The Licensee shall notify the Director of Planning and Development (hereinafter the "Director") and the Chief of Police (hereinafter the "Chief") within five (5) business days of any adjustment in the number of bus round trips per hour and per week, Monday through Friday, from 7:00 to 10:00 p.m. The Director shall maintain a file of all such requests in order to verify the total changes to the service at the end of each license term. And other changes to the regular services shall require the approval of the City Council.
- ii. Baseline: For the purposes of this provision, Baseline shall be defined as the total number of vehicle round trips per week, Monday through Friday, from 7:00 a.m. to 10:00 p.m. The Baseline shall not include round trips added after the commencement of the License term which commenced *July 1, 2006*. The Baseline number of round trips per week shall be determined annually by the City Council to be effective as of the date of the commencement of the License term. The Baseline for the **2022-2025** License Term shall be as follows: Newton Route, a maximum of 770 round trips per week Monday through Friday, from 7:00 a.m. to 10:00 p.m.

b. Special Events Scheduled After Commencement of License Term:

- i. Notice Required: The requirement for advance Council approval shall not apply to transportation to or from a special event, not including athletic or entertainment events as hereinafter provided in paragraph C, which event is not scheduled as of the beginning of the license term and which requires the use of not more than two (2) vehicles over a particular route subject to the provisions of this license and which requires no more than three (3) trips per hour on such route. Special events requiring the use of more than 2 vehicles over such route or more than three (3) trips per hour, or the use of more than one route subject to the provisions of this License, or the use of new route shall require the approval of the Director. In addition, for special events requiring the use of ten (10) or more buses, the

Licensee shall route all such buses onto the internal roadways or within the boundaries of the Boston College Chestnut Hill and/or Law School Campus and require all such buses to remain within the campus boundaries whenever such buses are idling. Licensee shall also require that all such buses pick up and discharge passengers within the Boston College Chestnut Hill and/or Law School Campus and not on Newton streets.

- ii. Monthly Approval of Special Events(s) Permit: On or before the 15th of the preceding month, but in any event no less than three weeks prior to any such event, Boston College, on behalf of Licensee, shall provide the Director with a list of temporary or one-time event(s) to be held during the next month which will require the use of more than two (2) vehicles, or more than three (3) round trips per hour or more than one route licensed herein or a route not currently licensed pursuant to this license. Such list shall include the number and type of vehicle(s), frequency of service, bus stop locations and route(s) to be used. Such list shall constitute a request for a monthly event permit, which shall be deemed approved unless denied in writing within 15 days of receipt of said list. Such monthly event permit shall constitute a one-time approval for each event as stated in the permit.
 - iii. Director Approval: In a situation in which the Licensee cannot obtain approval through the monthly approval process as provided in paragraph 2 of this section, the Licensee, or Boston College on behalf of Licensee, may apply to the Director for approval of transportation to and from a special event. The Director shall be authorized to approve transportation to and from a special event upon no less than one week's prior written notice from Boston College on behalf of Licensee, provided, however, that the Director may authorize transportation for no more than two such special events each semester. For the purposes of this provision, a request for approval of transportation to and from a post season hockey or basketball tournament shall not be included in said two request limit. The request for approval of transportation shall contain the number and type of vehicle(s), frequency of service, bus stop locations and route(s) to be used. No later than one week following receipt of such request, the Director shall notify the applicant and the Chief of Police in writing of such approval along with any conditions that may apply including the valid dates of the approval.
- c. Transportation for Athletic or Entertainment Events: Transportation for athletic or entertainment events held at Boston College facilities for which tickets are sold may be provided for ticket holders, students, faculty and staff, provided that on or about June 30 of each year of this license, Boston College, on behalf of the Licensee, shall provide the City Council with a schedule of such events, and shall also provide for each such event, in a format to be determined by the Council, the proposed routes, proposed number and type of vehicles, proposed frequency of service, and the proposed time and duration of operation, each of which must then be approved by the Council as a special addendum to this license, which addendum shall specify the terms of such events license. Once adopted, modifications to the terms of such addendum

must be made in accordance with the applicable provisions of section 5.B of this License.

The approved transportation schedule for **Fall 2022** Varsity Football Games and currently scheduled special events are stated in *Appendix A*, attached hereto and incorporated herein in fulfillment of the above condition for the period ending **June 30, 2025** with the College using school buses with a preference for non-diesel vehicles.

6. A copy of this license shall be issued to the driver of each vehicle and presented upon request to any City of Newton police officer and such other enforcement officials as may be designated by the City Council, provided that the Licensee shall be notified in writing prior to the designation of such other enforcement officials.
7. TERM: This license renewal is valid beginning July 11, 2022 and shall expire on July 10, 2025. Subsequent one-year license renewals shall be granted in the discretion of the City Council pending satisfactory completion of the provisions of section 8 below.
8. Periodic Review:
 - (a) No later than **November 15, 2019 and March 15, 2020** of the License Term, the Licensee shall meet with the City Council to review any concerns related to the service and shall make such adjustments as deemed necessary by the City Council. The review shall include the following items:
 - (i.) Nothing in this license shall prevent the College from altering allowed service on Newton Streets around the Chestnut Hill Campus in favor of use of internal roads within the Chestnut Hill Campus during the License term, provided that any proposed left turns across traffic shall first be noticed to the Chief of Police.
 - (ii.) Consolidation of Routes: The Licensee shall cooperate with the appropriate committee(s) of the City Council in determining the appropriateness of consolidating routes and schedules in an effort to reduce and to eliminate excessive service. Consolidation of routes and reduced schedules shall be based on the level of ridership and such other factors as deemed relevant by the appropriate committee(s) of the City Council and College. If routes are to be consolidated or if the College and the appropriate committee of the City Council determine that there is a reasonable basis to request schedule reductions, Boston College, on behalf of the Licensee shall provide ridership data in the manner set forth in paragraph 8 (2) of this license.
 - (iii.) The Licensee shall equip vehicles with two-way radios and shall maintain contact between a dispatcher and all vehicles while in operation on the routes described herein.
9. Violation of any of the above specific or general conditions shall be cause for revocation of this license in accordance with procedures to be established by the City Council.

10. Boston Coach Corporation, Boston College and the officials, trustees, agents, servants and employees of each shall hold harmless and defend the City of Newton from and against all claims, damages, demands and actions of every kind arising out of the exercise of this License.
11. The provisions of this license are severable. If any of the provisions of this license are held invalid by a court of competent jurisdiction, the remaining provisions of this license shall not be affected by such invalidity and shall remain in full force and effect, provided that upon such a finding or invalidity the City shall have the right to initiate proceedings to revise the remaining provisions of the license in a manner not inconsistent with any such finding of invalidity.
12. The Chief of Police shall be charged with the enforcement of the provisions of this license.

Under Suspension of Rules

Readings Waived and License Approved

23 yeas 0 nays 1 absent (Councilor Noel)



(SGD) CAROL MOORE

City Clerk



(SGD) RUTHANNE FULLER

Mayor

Date: 7/18/2022